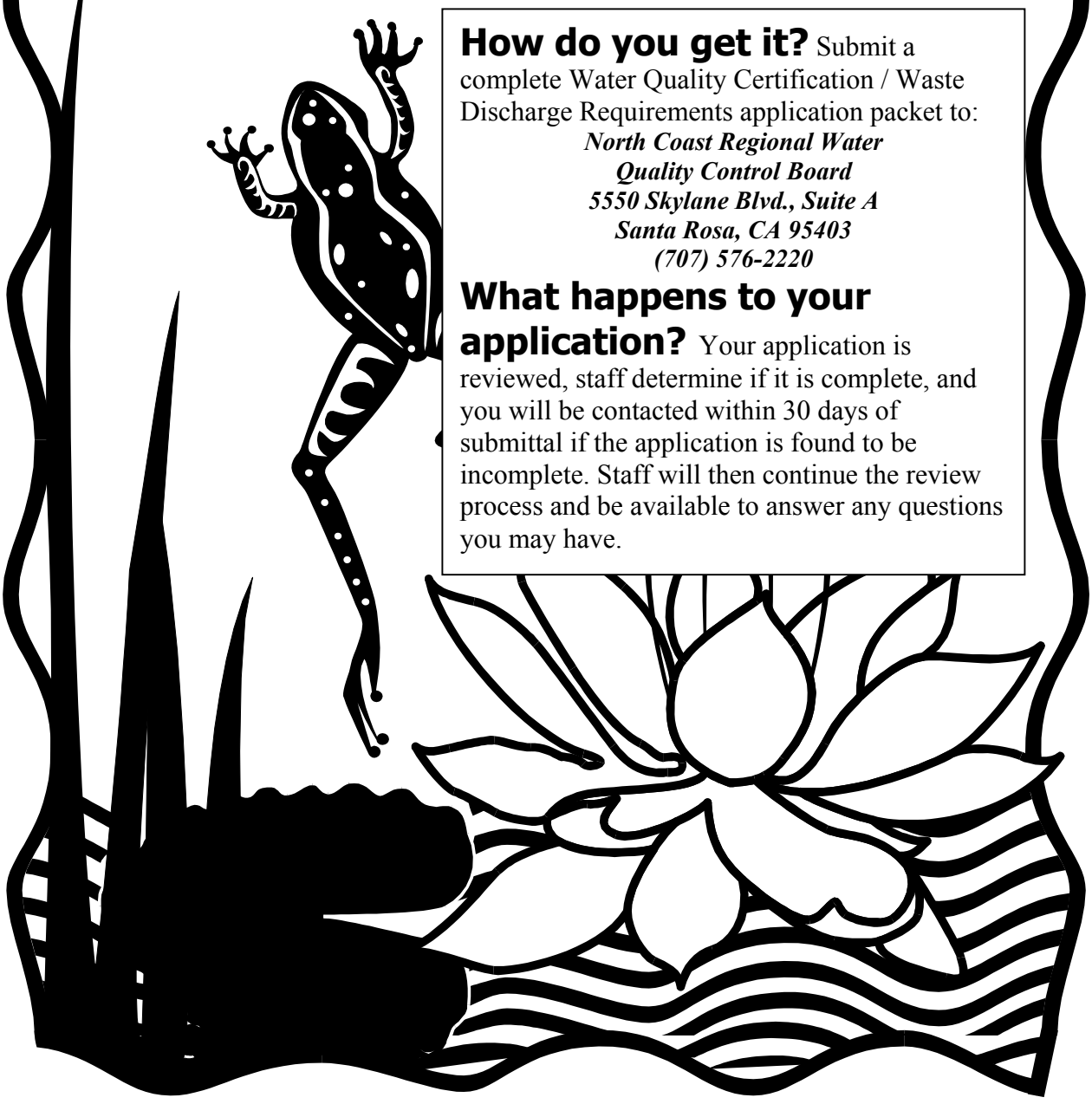
WATER QUALITY CERTIFICATION AND/OR WASTE DISCHARGE REQUIREMENTS (Dredge/Fill Projects)

What is it? A Clean Water Act (CWA) Section 401 Permit (Water Quality Certification) is a finding from the Regional Water Quality Control Board that the proposed project will comply with CWA Sections 301, 302, 303, 306 and 307, State laws, and will be protective of beneficial uses. At a minimum, any beneficial uses lost must be replaced by a mitigation project of at least equal function, value and area. Waste Discharge Requirements Permits are required pursuant to California Water Code Section 13260 for any persons discharging or proposing to discharge waste, including Dredge/Fill, that could affect the quality of the waters of the State.

Who Needs It? Anyone proposing to conduct a project that requires a federal permit or may result in a discharge to U.S. surface waters and/or "Waters of the State", including wetlands (all types), year round and seasonal streams, lakes and all other surface waters.



How do you get it? Submit a complete Water Quality Certification / Waste Discharge Requirements application packet to:

North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
(707) 576-2220

What happens to your application? Your application is reviewed, staff determine if it is complete, and you will be contacted within 30 days of submittal if the application is found to be incomplete. Staff will then continue the review process and be available to answer any questions you may have.

Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill) Application

The following information is necessary before the Regional Water Quality Control Board can grant Water Quality Certification or Waste Discharge Requirements. Submit this application and the appropriate documentation*, along with a check for $1125.00 (dredge projects) or $2250.00 (fill projects)** to:

North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

(Make checks payable to: State Water Resource Control Board)

***Clarification of information may be requested by Regional Water Quality staff during application review.**
****Additional fees may be imposed for Technically-conditioned Certifications or Denial of Certification.**

1. Applicant

a) Property Owner:					
b) Owner's Representative:					
c) Street Address:					
d) City:		State:		Zip:	
e) Phone:		Fax:		Email:	

2. Project Information

(Refer to the provided **Project Plan Checklist** for guidance, and attach additional supporting documentation as necessary. The **Project Plan Checklist** is provided to assist applicants in preparing this application, and is not a required portion of the application packet.)

a) Project description and purpose: (i.e. detailed report, see **checklist** for guidance)

b) Project Location: (attach a topographic map, and a site map clearly indicating affected waters)

c) Proposed schedule for project: (start date, duration, estimated completion date, etc.)

d) Federal Permit(s) application(s) and/or approved permit(s) required: (i.e. Army Corps of Engineers 404 Permit). Also include whether permit is individual or nationwide. Include file, application, and/or permit number.

e) CEQA Compliance: (include State Clearinghouse number and date of adoption of EIR, Neg. Dec. or copy of Notice of Exemption) ***Completed CEQA required prior to approval of Water Quality Certification.***

f) Has a Lake or Streambed Alteration Agreement (1600-1608) from the California Department of Fish and Game been obtained? (If yes attach copy of agreement, if no attach a copy of application)

3. Affected Waters (Refer to the provided **Checklists** for guidance, and attach additional supporting documentation as necessary. The **Checklists** are provided to assist applicants in preparing this application, and are not a required portion of the application packet.)

a) Acres of water body affected by project: (i.e. jurisdictional wetlands, riparian zone, streambed, and/or lake). Please list **separately** the permanent and temporary acres to be impacted (attach detailed map illustrating extent of impact)

b) Name, title, and affiliation of person delineating Extent of Waters of U.S.: (include wetland delineator certification information if applicable)

c) Describe proposed measures to avoid or mitigate direct impacts to Waters of the State: (if direct impacts are unavoidable, describe efforts to minimize or mitigate impacts. See **Mitigation Checklists** for guidance)

d) Type and volume of proposed discharge (i.e. dredged or fill material)

e) Describe proposed measures to avoid or mitigate indirect impacts to Waters of the State: (i.e. upland impacts which might affect water quality. See **Mitigation Checklists** for guidance)

f) **Cumulative impacts:** Brief list/description of applicant's previous and future projects related to the proposed activity or that may impact the same receiving water body(ies)

a) Nearest Receiving Water(s) (or surface drainage)

b) Proposed Minimum Erosion Control Measures (attach additional sheets as necessary)

_____ _____

Signature of Owner (or Owner's Representative) Date

Project Plan Checklist

A detailed project plan is required with every application. Clarification of information may be requested by Regional Water Quality Control Board (Regional Water Board) staff during application review. This checklist is provided to aid applicants in providing a thorough project plan. Not all items on the checklist apply to each and every project, rather they are to be used as general guidelines for required information to be included. In addition, there may be items not covered on this checklist that may be requested on a project by project basis.

1) Project Description

a) Project Description ☐
b) Summary of overall project area ☐
- size and description of project area; type(s) of receiving water body(ies); brief list/description of applicant's previous and future projects related to the proposed activity or that may impact the same receiving water body(ies)

c) Responsible Parties ☐
- names and phone numbers of anyone participating in the project

d) Jurisdictional Waters to be impacted ☐
- include a detailed site plan clearly indicating proposed impacts and mitigation site areas, including acreage's

e) Type(s) of water body, flow duration (i.e. intermittent/perennial), inundation period, functions and values ☐
f) Location and size of project area ☐
g) Include site map and regional map of project location ☐
h) Species present within project site and/or upstream/downstream ☐
i) Threatened or endangered species present in streamcourse ☐
j) Existing functions and values ☐
- wetted channel width , pool/riffle ratio, mean/maximum depths, complexity, shade/cover, ect.

k) Current conditions at the site ☐
- mostly natural, degraded, heavily impacted

l) Construction methods to be used ☐
m) Adverse impacts ☐
- include whether the adverse impacts will be temporary or permanent, and include amount of area to be affected (acres or linear feet)

n) Schedule of construction activities ☐
- include start and end dates for proposed activities

o) Stockpile summary ☐
- include amount of stockpile and proposed areas for storage

p) Best management practices ☐
- practices to be implemented to reduce potential water quality impacts during and after construction activities, aside from proposed mitigation activities

q) Site dewatering ☐
r) Solid waste disposal for dredged material ☐
s) Mitigation and monitoring plans ☐
- refer to Appendix B for streamcourse mitigation, and Appendix C for wetland mitigation.

Streamcourse Mitigation Checklist

If it is determined that a watercourse (intermittent and/or perennial) will be affected by the proposed development, mitigation will likely be necessary to preserve the function and beneficial uses of the site. Clarification of information may be requested by Regional Water Board staff during application review. This checklist is intended to aid applicants in submitting complete and proper information regarding mitigation plans, to enable staff to effectively evaluate the project for Water Quality Certification or Waste Discharge Requirements. Not all items on the checklist apply to each and every project, rather they are to be used as general guidelines for needed information to be included. In addition, there may be items not covered on this checklist that may be requested on a project by project basis.

1) Goals of Mitigation

a) Variety of habitats to be created/restored ☐
- pools, rearing sites, spawning sites, riparian habitat, ect.

b) Functions and values of habitat to be created ☐
- wetted channel width, pool/riffle ratio, mean/maximum depths, complexity, shade/cover, large woody debris recruitment, ect.

c) Other mitigation steps taken ☐
- avoid, minimize, compensate

d) Functions and values of the created/restored habitat ☐
- wildlife habitat, streambank stabilization through riparian habitat establishment, increased water quality, etc.

e) Time schedule for mitigation ☐

f) Work plan ☐
- project start date; length mitigation activities will take place; specific work (riparian plantings, etc.) to be done at particular times, area of stream-channel profile receiving mitigation (i.e. wetted channel, bankfull channel, floodplain)

2) Proposed Mitigation Site

a) Location and size of mitigation area ☐

b) Include site map and regional map of mitigation project ☐

c) Existing functions and values ☐
- wetted channel width , pool/riffle ratio, mean/maximum depths, complexity, shade/cover, ect.

d) Current conditions at the site ☐
- mostly natural, degraded, heavily impacted

e) If the site is degraded explain past uses leading to degradation ☐

f) Present and proposed uses of mitigation area ☐
- provide habitat for flora/fauna (plants/animals), recreation, open space, ect.

g) Current uses of the area ☐
- agriculture, development, recreation, open space, ect.

3) Implementation Plan

a) Responsible Parties ☐

b) Rationale for expecting success ☐

c) Site Preparation Plan ☐

d) Planting Plan ☐
- dates of proposed plantings, native species to be planted, density of plantings, ect.

e) Irrigation Plan (if applicable)_____ ☐

4) Maintenance During Monitoring Period

a) Responsible Parties_____ ☐
b) Maintenance activities_____ ☐
c) Names and phone numbers of anyone performing maintenance activities at or near the site_____ ☐
d) Schedule_____ ☐

5) Monitoring Plan

a) Responsible Parties_____ ☐
b) Names and phone numbers of individuals/contractors performing monitoring duties_____ ☐
c) Performance Criteria_____ ☐
   - wetted channel width, pool/riffle ratio, mean/maximum depths, complexity, shade/cover, large woody debris recruitment, riparian establishment, flora/fauna, ect.

d) How will success be judged?_____ ☐
   - increase in depths, decreased erosion rates, establishment of riparian species, recruitment of flora and fauna, increased pool/riffle ratio, increased shade, decreased water temperatures, increased water quality, ect.

e) Is there a reference site?_____ ☐
   - if a reference site is incorporated in the plan, include where it is located and what the current conditions are (see performance criteria above)

f) Monitoring methods_____ ☐
g) Describe in detail how the site will be monitored_____ ☐
h) Reports_____ ☐
i) How often will monitoring reports be published?_____ ☐
j) Schedule_____ ☐
k) How often will the site be monitored?_____ ☐
l) How long will the site be monitored?_____ ☐

6) Completion of Mitigation

a) Notice of completion_____ ☐
   - plan for notification of completion (i.e. agencies to be contacted)

b) Regional Board confirmation _____ ☐

7) Final Success Criteria

a) Target functions and values achieved_____ ☐
   - ultimate target functions and values of the mitigation (i.e. wetted channel width, pool/riffle ratio, complexity/cover, flora/fauna recruitment, ect.)

b) Target hydrologic scheme achieved_____ ☐
   - wetted width, bankfull width, mean/maximum depths, flow regime, ect.

c) What are the ultimate hydrologic conditions for the site?_____ ☐
   - based on conditions prior to any degradation or human impacts (best case scenario)

d) Target jurisdictional acreage created/restored_____ ☐
e) Total acres restored or created through mitigation project_____ ☐
f) Establishment of native riparian species_____ ☐
   - based on monitoring, reviewed after determined number of years

Wetland Mitigation Checklist

Wetlands should not be disturbed if at all possible. If it is determined that a wetland will be affected by the proposed development, mitigation will need to be done on at least a 1:1 ratio to preserve the function and values of the wetland and its associated beneficial uses. Clarification of information may be requested by Regional Water Board staff during application review. This checklist is intended to aid applicants in submitting complete and proper information regarding mitigation plans, to enable staff to effectively evaluate the project. Not all of the items on the checklist will apply to each and every project, rather they are to be used as general guidelines for needed information to be included. In addition, there may be items not covered on this checklist that may be requested on a project by project basis.

1) Goals of Mitigation

a) Variety of habitats to be created/restored ☐
- What type of wetland will be created/restored? (i.e. seasonal, freshwater, saltwater, swale, vernal pool, ect.)

b) Functions and values of habitat to be created ☐
- What are the functions and values of the created/restored wetland? (i.e. wildlife habitat, native plant communities, increased water quality, ect.)

c) Other mitigation steps taken ☐
- **avoid**, minimize, compensate

d) Time schedule for mitigation ☐

e) Work plan ☐
- project start date; length mitigation activities will take place; specific work (exotic species removal, native species plantings, etc.) to be conducted during particular times of the year

2) Proposed Mitigation Site

a) Location and size of mitigation area ☐

b) Include site map and regional map of mitigation project ☐

c) Existing functions and values ☐
- flora/fauna (plants/animals) habitat, flora/fauna utilizing site, mean/ maximum depths, water quality parameters
- include a copy of delineation report of mitigation site

d) Current conditions at the site ☐
- mostly natural, degraded, heavily impacted

e) If the site is degraded explain past uses leading to degradation ☐

f) Present and proposed uses of mitigation area ☐
- provide habitat for flora/fauna, recreation, open space, ect.

g) Current uses of the area ☐
- agriculture, development, recreation, open space, ect.

3) Implementation Plan

a) Responsible Parties ☐

b) Rationale for expecting success ☐

c) Site Preparation Plan ☐

d) Planting Plan ☐
- dates of proposed plantings, native species to be planted, density of plantings, ect.

e) Irrigation Plan (if applicable) ☐

4) Maintenance During Monitoring Period

a) Responsible Parties ☐
b) Maintenance activities ☐
c) Names and phone numbers of anyone performing maintenance activities at or near the site ☐
d) Schedule ☐

5) Monitoring Plan

a) Responsible Parties ☐
b) Names and phone numbers of individuals/contractors performing monitoring duties ☐
c) Performance Criteria ☐
   - native species present, duration and season of water inundation, mean/maximum depths, water quality, ect.

d) How will success be judged? ☐
   - establishment of native flora/fauna, ponding of water during appropriate portion of season, increased water quality, ect.

e) Is there a reference site? ☐
   - if a reference site is incorporated in the plan, include where it is located and what the current conditions are (see performance criteria above)

f) Monitoring methods ☐
g) Describe in detail how the site will be monitored ☐
h) Reports ☐
i) How often will monitoring reports be published? ☐
j) Schedule ☐
k) How often will the site be monitored? ☐
l) How long will the site be monitored? ☐

6) Completion of Mitigation

a) Notice of completion ☐
   - Plan for notification of completion (i.e. agencies to be contacted)

b) Regional Board confirmation ☐

7) Final Success Criteria

a) Target functions and values ☐
   - ultimate target functions and values of the mitigation (i.e. native flora/fauna recruitment, inundation of water during appropriate season)

b) Target hydrologic scheme ☐
   - inundation period of area

c) What are the ultimate hydrologic conditions for the site? ☐
   - based on conditions prior to any degradation or human impacts (best case scenario)

d) Target jurisdictional acreage to be created/restored ☐
e) Total acres restored or created through mitigation project ☐
f) Establishment of native wetland species ☐
   - based on monitoring, reviewed after determined number of years

Additional Notes